Office of Crime Victims Advocacy 2005 Legislative Report *Final Edition*

Bill Number & Companion	Title	Description	Status & Sponsor
<i>1012S</i>	Regulating computer spyware.	Makes it illegal for an unauthorized user to copy software onto a computer and change settings, gather personal information, gain control of the computer, or misrepresent	Status: Passed Chapter 500, 2005 Laws
		that software has been removed or disabled. Substitute states an injured individual can bring civil action to halt	Effective Date: 5/17/2005
		further violations or seek damages up to \$1,000. Amendment allows the Attorney General or owner of a web	Sponsor: <i>Morris</i>
		site or trademark to bring a civil action and seek damages of \$100,000 per violation, up to a maximum of \$2,000,000.	
1014S 5003	Revising DNA testing provision.	Eliminates the dates and deadlines established for convicted persons to request postconviction DNA testing; requires requests for postconviction DNA testing to be submitted	Status: Passed Chapter 5, 2005 Laws
		directly to the courts instead of the Office of Public Defense (OPD) and the county prosecutor's office; provides for	Effective Date: 3/9/2005
		indigent persons to obtain legal counsel in order to prepare and present a motion for postconviction DNA testing; requires all biological material secured in connection with a criminal case to be preserved for a length of time as defined by the court.	Sponsor: Darneille
1058S	Revising provisions relating to mental health treatment for minors.	Changes provisions relating to the parent-initiated inpatient mental health admission of a minor, as well as the liability and immunity of providers who admit a minor into the	Status: Passed Chapter 371, 2005 Laws
		facility, and provides a technical reorganization of the mental health statutes.	Effective Date: 5/10/2005
			Sponsor: Dickerson
1081	Requiring prehire screening for law enforcement applicants.	Requires to peace officers to meet minimum standards for employment, including successful completion of a psychological and polygraph examination. Amendment	Status: Passed Chapter 434, 2005 Laws
		provides that a licensed psychiatrist or psychologist must conduct psychological testing. Minimum testing must consist of a standardized clinical test that complies with accepted	Effective Date: 5/13/2005
		psychological standards. The polygraph examination must be given by a graduate of a polygraph school accredited by the American Polygraph Association.	Sponsor: McDonald

Bill Number & Companion	Title	Description	Status & Sponsor
1097S 5104S	Creating the "Keep Kids Safe" license plate series.	Creates a "Keep Kids Safe" license plate series that display artwork recognizing efforts to prevent child abuse and	Status: Passed Chapter 53, 2005 Laws
		neglect in Washington state. Revenues collected from the sale of the license plates shall be credited to the children's trust fund. Substitute makes technical corrections clarifying	Effective Date: 4/14/2005
		review and approval was done in accordance with the criteria set in statute, allowing the special plate to be purchased for trailers, and clarifying the time periods during which certain registration fees apply.	Sponsor: Schual-Berke
1136	Ordering a study of electronic monitoring	Orders the Washington Association of Sheriffs and Police	Status: Passed
5166S	systems.	Chiefs to conduct a study of electronic monitoring as an alternative to incarceration in every state. Amendment	Chapter 435, 2005 Laws
		establishes an electronic monitoring program for low-risk offenders who violate terms of their community custody.	Effective Date: 5/13/2005
		Second amendment provides that if specific funding for the purposes of section 2 of the act is not provided by June 30, 2005, in the omnibus appropriations act, section 2 of the act is null and void.	Sponsor: O'Brien
1147S	Protecting communities from sex	Establishes community protection zones to protect	Status: Passed
	offenders through the establishment of community protection zones.	communities from sex offenders. Each school district will conduct a hearing regarding notification when they receive	Chapter 436, 2005 Laws
	, .	a sex offender community notification. Substitute makes law enforcement and DOC immune from civil liability for complying with the act, and deletes some provisions. Amendment narrows population of offenders affected to those with one two-strikes offense, adds the joint task force, and states that the bill expires July 1, 2006.	Sponsor: Clements
1 <i>154S</i>	Requiring that insurance coverage for	Requires that insurance coverage be at parity for mental	Status: Passed
5450	mental health services be at parity with medical and surgical services.	health services, which means this coverage be should be delivered under the same terms and conditions as medical	Chapter 6, 2005 Laws
		and surgical services. Substitute changes the starting date for the first of three phases to January 1, 2006. Also, the	Effective Date: 3/9/2005
		word "identified" relating to prescription drug coverage is replaced by the word "covered." Also removes the emergency clause included in the original bill.	Sponsor: Schual-Berke
1161	Adding entities entitled to notification	Adds public libraries as an entity to receive notification	Status: Passed
	about sex offenders and kidnapping offenders.	about sex offenders and kidnapping offenders.	Chapter 99, 2005 Laws
			Effective Date: 4/20/2005
			Sponsor: Buri

Bill Number & Companion	Title	Description	Status & Sponsor
11715	Limiting the court's discretion concerning denial of dissolution decrees.	Establishes that a court may not use a petitioner's pregnancy as a basis for denying or continuing a decree of dissolution. Substitute broadens the prohibition by replacing	Status: Passed Chapter 55, 2005 Laws
		the word "petitioner" with the word "party," and adds that a court may not delay entering a decree of divorce based on	Effective Date: 4/14/2005
		the party's pregnancy. In addition, it clarifies that granting a decree of divorce when a party is pregnant does not affect further proceedings under the Uniform Parentage Act (UPA).	Sponsor: Dickerson
1185S	Prohibiting disclosure of personal wireless numbers.	Prohibits wireless service providers from including subscriber numbers in any directory or selling directory contents without consent. Substitute clarifies that consent	Status: Passed Chapter 322, 2005 Laws
		be obtained in writing or electronically and removes authority of the Utilities and Transportation Commission to	Effective Date: 5/9/2005
		adopt additional disclosure rules. Amendments provide the subscriber consent form must be separate document or web page, removes the individual right of action for violations,	Sponsor: Morrell
4407		and increases penalty to fifty thousand dollars.	
1187	Eliminating mandatory minimum sentences for youthful offenders tried as adults. (REVISED FOR PASSED	Removes the requirement that judges impose mandatory minimum terms of confinement for juveniles who are tried as adults after having been discretionarily declined. The	Status: Passed Chapter 437, 2005 Laws
	LEGISLATURE: Eliminating mandatory minimum sentences for certain youthful	adult mandatory minimum sentences will not apply when a juvenile is sent to adult court after a decline hearing has	Effective Date: 5/13/2005
	offenders tried as adults.)	been held in juvenile court and the court determines the adult court is the appropriate court. Judges are permitted to sentence a juvenile who has been discretionarily declined to	Sponsor: Dickerson
		any sentence within the standard range for the offense, or to impose an exceptional sentence downward. The juvenile	
		would also be eligible for the same opportunity for earned early release as any person sentenced for a standard range	
		sentence. The mandatory minimum sentences will continue	
		to apply to cases that are automatically transferred to adult court. The sentencing change applies only to offenses	
<i>1236S</i>	Changing duties for aiding injured	committed on or after the effective date of the act. Declares a person is guilty of misdemeanor failing to	Status: Passed
5077S	persons.	summon assistance if they do not summon aid for a victim of crime who has suffered substantial bodily harm.	Chapter 209, 2005 Laws
		Substitute states the person must be present. Amendment states a person is guilty if they were present when a crime	Effective Date: 4/28/2005
		was committed, knew the victim suffered substantial bodily harm and needs assistance, could reasonably summon assistance without danger and without interference with an important duty and another person is not summoning assistance.	Sponsor: O'Brien

Bill Number & Companion	Title	Description	Status & Sponsor
1252S	Providing for family and consumer science education.	School districts are encouraged to adopt a family preservation education curriculum and offer a unit in family preservation education to high school students. The OSPI	Status: Passed Chapter 491, 2005 Laws
		must adopt a model curriculum for family preservation education. The model curriculum must include instruction	Effective Date: 5/16/2005
		on developing conflict management skills, communication skills, domestic violence and dating violence, financial responsibility, and parenting responsibility. School districts may adopt the model curriculum or may develop a curriculum with input from the community.	Sponsor: Quall
1266S 5263S	Updating laws on drugs and alcohol use by commercial drivers.	Provides definitions for terms that are used in the federal regulations, makes terminology consistent with federal regulations, and provides evaluation and treatment	Status: Passed Chapter 325, 2005 Laws
		standards that are consistent with federal requirements. Regulates reporting of positive drug or alcohol tests to the	Effective Date: 5/9/2005
		Department of Licensing (DOL). Pre-employment tests must be reported to the DOL along with any other positive tests once employment has been terminated. Requires employers of commercial drivers to report to the DOL when a commercial driver refuses to take a drug or alcohol test. Clarifies the scope of hearings requested by drivers to challenge disqualification for a positive drug or alcohol test.	Sponsor: <i>Murray</i>
<i>12902S</i>	Modifying community mental health services provisions.	Appropriates from general fund to DSHS to contract with regional support networks. Substitute allows county mental health programs to be licensed as service providers. Second	Status: Passed with Partial Veto Chapter 503, 2005 Laws
		substitute modifies definitions and deletes appropriation language. Medicaid clients to have coverage reinstated upon	Effective Date: 5/17/2005
		release from incarceration. Amendment restores a statewide procurement process, but provides a process for existing regional support networks to come into compliance with standards, and adds an emergency clause. Partial Veto: Section 5 vetoed due to redundant language included in SB 5763.	Sponsor: Cody
1294 5434	Revising standards for antiharassment protection order hearings.	Upon receipt of the petition alleging a possible case of harassment, other than a petition alleging a sex offense, the court will order a hearing which shall be held not later than	Status: Passed Chapter 144, 2005 Laws
		fourteen days from the date of the order. If the petition alleges a sex offense, the court will order a hearing which shall be held not later than fourteen days from the date of	Effective Date: 4/22/2005 Sponsor: Williams
		the order.	Oponison williams

Bill Number & Companion	Title	Description	Status & Sponsor
1296 5435	Granting the municipal courts jurisdiction for antiharassment protection orders.	Provides that municipal courts may exercise jurisdiction and cognizance of any civil actions and proceedings brought under law regarding harassment by adoption of local court	Status: Passed Chapter 196, 2005 Laws
		rule, except the municipal court shall transfer such actions and proceedings to the superior court when it is shown that	Effective Date: 4/26/2005
		the respondent to the petition is under eighteen years of age.	Sponsor: Lovick
1314S	Creating the domestic violence prevention account.	Provides that the party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage will pay an additional fee of ten dollars.	Status: Passed Chapter 374, 2005 Laws
		The fees collected will be deposited monthly in the domestic violence prevention account. Substitute adds the word	Effective Date: 5/10/2005
		"preventive" to clarify that standards for non-shelter community-based services receiving funds from the domestic violence prevention account must be preventive. Amendments clarify the word "preventive" includes services for victims of domestic violence from underserved communities or children who have witnessed domestic violence, eliminate the fee on each marriage licenses and increase the fee on dissolutions by \$30, of which \$24 must be transferred to the state domestic violence prevention account. The remaining \$6 will be retained by the county, of which five percent will be used for administrative purposes, and the remainder to support community-based services for victims of domestic violence.	Sponsor: Dickerson
<i>1337S</i>	Regulating storage of sex offender records.	Authorizes the Washington association of sheriffs and police chiefs to destroy both paper and electronic records of deceased offenders. Sealed records transferred for	Status: Passed Chapter 227, 2005 Laws
		permanent retention and retrieval will be electronically retained so that they are clearly marked as sealed and only	Effective Date: 4/28/2005
		be accessible by criminal justice agencies and the system administrator. Substitute provides the end-of-sentence review committee with access to sealed and unsealed records for the purpose of end-of-sentence review.	Sponsor: O'Brien
1338	Adding kidnapping to the statewide registered sex offender web site.	Provides that, for kidnapping offenders, the statewide registered sex offender web site shall contain, the registered sex offender's name, relevant criminal	Status: Passed Chapter 228, 2005 Laws
		convictions, address by hundred block, physical description, and photograph. The web site shall provide mapping	Effective Date: 4/28/2005
		capabilities that display the sex offender's address by hundred block on a map, provided that it is permissible under state and federal law.	Sponsor: O'Brien

Bill Number & Companion	Title	Description	Status & Sponsor
<i>1366S</i>	Requiring video game retailers to inform consumers about video game rating systems.	Requires video game retailers to post signs alerting customers to video game rating systems and make information regarding video game rating available to all	Status: Passed Chapter 230, 2005 Laws
		customers. Substitute removes the language requiring signs to be a specific size and instead requires the signs to be	Effective Date: 4/28/2005
		clearly visible to consumers; also removes the requirement that the retailer provide each video game consumer with rating system information and instead requires the retailer to provide the information to every person who requests it. Amendment provides that video game retailers must post signs about the video game rating system where video games are displayed. They must also post signs at the point of sale, unless they have a system that prompts the salesperson to check identification on persons under a certain age if they are attempting to purchase games intended for mature audiences.	Sponsor: Roberts
1385 5459S	Restricting the information on recorded documents.	Restricts certain private information from appearing on recorded documents by county auditors. Such information includes social security numbers, dates of birth and the	Status: Passed Chapter 134, 2005 Laws
		maiden name of a person's parent for identification purposes.	Effective Date: 4/22/2005
			Sponsor: Takko
<i>1387S</i>	Providing investigative and corrective action procedures for state patrol officers involved in vehicle accidents.	Requires state patrol officers to follow the same traffic and law enforcement policies as regular citizens when they are off-duty and using public roadways. Designates the act as	Status: Passed Chapter 27, 2005 Laws
		the "Brock Loshbaugh Act." Substitute provides policies include a progressive, corrective process that may include	Effective Date: 4/13/2005
		retraining in vehicle handling, wage or benefit reduction and termination of employment. Policies must provide for outside supervision of accident investigations.	Sponsor: Nixon

Bill Number & Companion	Title	Description	Status & Sponsor
14025 5375S	Regulating supervision of offenders who travel or transfer to or from another state.	Authorizes DOC to supervise offenders who travel or transfer from one state to another. Substitute clarifies DOC authorization to supervise nonfelony offenders transferring	Status: Passed Chapter 400, 2005 Laws
		to Washington, and the procedures that are required for probation departments to follow when a defendant requests	Effective Date: 5/11/2005
		permission to transfer. A provision is added to require DOC to be financially responsible if a probationer is returned to the state at the request of the receiving state under the Compact. The effective date is also amended. Amendment deletes the new provisions that stated that whenever a Washington misdemeanant offender is transferred to another state and he or she is under that other state's supervision, that the state of Washington, the DOC and its employees, and any city or county located in Washington and their employees, are not liable for civil damages resulting from any act unless their act constitutes gross negligence. Amendment limits those offenders who the county correctional officer must determine whether to refer to DOC for transfer proceedings to those with terms of supervision of one year or more, which is consistent with the Compact. The amendment also harmonizes the municipal court liability provision with the provisions for other courts of limited jurisdiction.	Sponsor: O'Brien
1426S 5407S	Establishing an interagency plan for children of incarcerated parents.	Directs DOC to work with DSHS to devise a plan to provide the necessary service and support to children of incarcerated parents. Substitute requires the oversight committee to seek input from children whose parents are or have been incarcerated and from parents who have been incarcerated in developing the interagency plan. It is specified that the required interim report is due to the appropriate committees by the date provided in the bill. Amendment replaces the reference to law enforcement and jails with the Washington Association of Sheriffs and Police Chiefs for membership on the oversight committee.	Status: Passed Chapter 403, 2005 Laws Effective Date: 5/11/2005 Sponsor: Roberts
15422S 5531	Providing indigent defense services.	The Washington state office of public defense will disburse funds to counties and cities for improving public defense services. Substitute eliminates a reference to achieving all of the Bar Association standards for indigent defense services as part of a local jurisdiction's eligibility to continue receiving state money and retains the requirement that the city or county make appreciable demonstrable improvements in delivering indigent defense services under the standards enumerated in the bill.	Status: Passed Chapter 157, 2005 Laws Effective Date: 4/22/2005 Sponsor: Lantz

Bill Number & Companion	Title	Description	Status & Sponsor
1606S 5649S	Providing for fairness in the informal dispute resolution process.	Provides for fairness in the informal dispute resolution process, the purpose of which is to exchange information that may lead to the elimination or modification of a	Status: Passed with Partial Veto Chapter 506, 2005 Laws
		violation or enforcement remedy already imposed. Substitute specifies that the informal dispute resolution	Effective Date: 5/17/2005
		process will be consistent with federal requirements. Amendment allows the participation of residents in the informal dispute resolution process. Partial Veto: Section 2 of the bill is vetoed due to an existing DSHS informal dispute resolution process, which would need to be modified without funding in order to implement the informal dispute resolution process outlined in the section.	Sponsor: Green
1661S 5500S	Specifying procedures for transfer of juvenile proceedings.	Provides that if the court orders a transfer of venue during a juvenile proceeding the case and copies of all documents will be transferred to the county where the juvenile resides.	Status: Passed Chapter 165, 2005 Laws
		Until restitution is determined the originating court shall retain venue over restitution, then transfer venue over	Effective Date: 4/22/2005
		modification and enforcement of the restitution to the new county. Substitute clarifies provisions about the transfer of the case and copies of court files relate only to cases transferred for disposition.	Sponsor: Moeller
1668	Changing provisions relating to the administrative office of the courts.	Changes the name of the Office of the Administrator for the Courts to the Administrative Office of the Courts; removes requirements about the administrator's appointment and	Status: Passed Chapter 282, 2005 Laws
		age; authorizes the provision of pro bono & family legal services; changes methodology for determining judicial	Effective Date: 5/4/2005
		need from "weighted caseload analysis" to "objective workload analysis" and instructs the administrator to use state funds to improve operation of the courts and to support for court coordinating councils.	Sponsor: Lantz

Bill Number & Companion	Title	Description	Status & Sponsor
1681S 5554S	Extending and adding a member to the joint task force on criminal background check processes.	Adds a member to the joint task force on criminal background check processes from a for-profit entity that primarily serves children or vulnerable adults. Substitute	Status: Passed Chapter 452, 2005 Laws
	,	adds an additional member to the Task Force from an organization that serves as a clearinghouse for other	Effective Date: 5/13/2005
		nonprofit organizations in the state and that recruits volunteers and trains nonprofit boards of directors. Amendment expands the membership of the Task Force to include a representative of a children's organization, a representative of an organization for vulnerable adults, and a representative selected by the state's long-term care ombudsman. The representative of an organization that serves as a clearinghouse for other nonprofits is made an ex officio non-voting member. Two topics are added to the list of topics that the Task Force must consider.	Sponsor: Sullivan, B.
<i>1687S</i>	Revising provisions concerning possession of firearms by persons found not guilty by reason of insanity.	Revises provisions concerning possession of firearms by persons found not guilty by reason of insanity. No person who has been found not guilty by reason of insanity may petition a court for restoration of the right to possess a firearm. Substitute makes it clear that a person who is found not guilty by reason of insanity is prohibited from possessing a firearm and is subject to the same penalties for illegal possession as a person convicted of the same crime would be. Amendment establishes that people found guilty by reason of insanity will also lose their concealed pistol license. Law enforcement can get access to limited mental health records to enforce these provisions.	Status: Passed Chapter 453, 2005 Laws Effective Date: 5/13/2005 Sponsor: <i>Moeller</i>
1747S 5685	Administering the state-funded civil representation of indigent persons.	Requires that an independent office of civil legal aid operate the state-funded legal-aid services located within the judicial branch and subject to formal continuous oversight as well as bipartisan legislative representation. The bill also creates a civil legal aid oversight committee. Substitute makes a technical amendment to change "advisory committee" to "oversight committee".	Status: Passed Chapter 105, 2005 Laws Effective Date: 4/21/2005 Sponsor: Wood

Bill Number & Companion	Title	Description	Status & Sponsor
17582S 5735S	Revising public disclosure law.	Prohibits agencies from denying public records requests because they are overly broad; allows agencies to respond to requests on a partial or installment basis. Requires the	Status: Passed Chapter 483, 2005 Laws
		Attorney General to adopt a model rule on public records disclosure. Allows an agency to ask for a deposit or charge	Effective Date: 5/16/2005
		per installment for public records requests. Allows an agency to cease fulfilling a request if an installment is not picked up. Changes the venue for certain public records-related suits against counties. Imposes a one year statute of	Sponsor: Kessler
		limitations for certain public records-related suits.	
1837	Providing for child witnesses.	Allows the court to order that a child under the age of ten testify in a room outside the presence of the defendant and	Status: Passed Chapter 455, 2005 Laws
		the jury if the testimony describes an act or attempted act of sexual contact performed with or on the child witness or on another child by another person, describes an act or	Effective Date: 5/13/2005
		attempted act of physical abuse against the child witness or another child by another person, or describes a violent offense committed against or by a person familiar to the child witness. Amendment provides judicial discretion in cases where a child is testifying.	Sponsor: Rodne
<i>1854S</i>	Changing provisions relating to withholding of driving privileges.	Suspends driving privileges of a driver who fails to respond to a notice of traffic infraction, fails to appear at a hearing, fails to pay a fine imposed for a traffic violation, or	Status: Passed Chapter 288, 2005 Laws
		otherwise fails to comply with the terms of a traffic infraction or citation. Substitute establishes Administrative	Effective Date: 5/4/2005
		review procedures for license suspensions for infractions on or after the effective date of the act. Payment plans for persons who are unable to pay civil fines for traffic infractions are made mandatory.	Sponsor: Lantz
1872	Revising provisions relating to ignition interlock devices.	Declares that a person who is required to have a ignition interlock device in their vehicle will be guilty of a gross	Status: Passed Chapter 200, 2005 Laws
		misdemeanor if they tamper with the device in order to disable it.	Effective Date: 4/26/2005
			Sponsor: Ericks

Bill Number & Companion	Title	Description	Status & Sponsor
18882S	Regulating internet fraud.	Provides that no person may solicit, request, or take any action to coax another person into providing personally identifying information by means of a web page or email	Status: Passed Chapter 378, 2005 Laws
		message by falsely representing oneself as a business or individual. A fine of 500 dollars or cost of damages will be	Effective Date: 5/10/2005
		charged to a violator. Substitute makes a technical change to the bill clarifying no person may represent themselves to be a business or individual when that person does not have the authority or approval to do so. Amendment excludes intermediary e-mail providers from liability under this act. It clarifies that an individual may only bring an action against a person or entity that directly violates this act. Amendment strike everything after the enacting clause and insert a new bill that adds government agencies to the legal definition of "person," and provides that the Consumer Protection Act can apply to violations.	Sponsor: Nixon
<i>1934S</i>	Increasing penalties for assaulting a peace officer with a stun gun.	Makes assault of a peace officer with a projectile stun gun assault in the third degree with a seriousness level	Status: Passed Chapter 458, 2005 Laws
	,	equivalent to assault in the second degree. Substitute	
		makes assaulting a peace officer with a projectile stun gun assault in the third degree, a class C felony, instead of	Effective Date: 5/13/2005
		assault in the second degree, which is a class B felony. Assault of a peace officer with a projectile stun gun is no longer a strike under the "Three Strikes" law. Amendment creates a projectile stun gun study committee.	Sponsor: Lovick
201525	Revising the special drug offender	Prohibits violent offenders from Drug Offender Sentencing	Status: Passed
	sentencing alternative.	Alternative (DOSA). Striker amendment establishes that an offender may not receive DOSA more than twice in a ten-	Chapter 460, 2005 Laws
		year period.	Effective Date: 5/13/2005
			Sponsor: Kagi
2028 5928	Regarding the advisory committee of the office of public defense.	Amends provisions relating to the advisory committee of the office of public defense. A committee member will be allowed to serve as an appellate judge on a pro tem basis	Status: Passed Chapter 111, 2005 Laws
		or as an appellate court employee.	Effective Date: 4/21/2005
			Sponsor: Kagi
2058	Regarding notice requirements for school employees convicted of sexual offenses.	Requires the superintendent of public instruction, when informed by the state patrol, to alert the board of education and the school district when an employee is convicted or	Status: Passed Chapter 237, 2005 Laws
		pleads guilty to any sexual offense, not just when a minor is involved.	Effective Date: 4/28/2005
			Sponsor: Quall

Bill Number & Companion	Title	Description	Status & Sponsor
<i>2061S</i>	Requiring disposition to be held in juvenile court in certain circumstances when a case is automatically transferred	Requires cases transferred to adult court be returned to juvenile court for disposition if the juvenile is convicted of an offense not requiring transfer of jurisdiction, or if the	Status: Passed Chapter 238, 2005 Laws
	to adult court.	juvenile was convicted of a lesser-included offense. Substitute clarifies if the juvenile is found not guilty, juvenile	Effective Date: 4/28/2005
		court will have jurisdiction over remaining charges and if the juvenile is convicted of a lesser-included offense requiring automatic transfer of jurisdiction, the offense will not return to juvenile court.	Sponsor: Darneille
2064	Clarifying provisions relating to automatic transfer of jurisdiction from juvenile	Clarifies that the date of the offense determines whether a case may be automatically transferred to adult court, rather	Status: Passed Chapter 290, 2005 Laws
	court.	than the date the prosecutor files the charges.	Effective Date: 5/4/2005
			Sponsor: Roberts
20735	Revising juvenile sentencing alternatives.	Revises the provisions making an offender ineligible for the mental health disposition alternative option. Substitute clarifies which offenses are ineligible for the Disposition	Status: Passed Chapter 508, 2005 Laws
		Alternative by removing the different age qualifications and the list of offenses that were prohibited. All B+ and B	Effective Date: 5/17/2005
		offenses are excluded if they involved bodily injury or a deadly weapon in the offense. Amendment eliminates the inclusion of the word "violent" in the bill, and the reference to manslaughter is changed from manslaughter in the first degree to manslaughter in the second degree. Subject to funds appropriated for this purpose, the juvenile courts must be funded by the Department of Social and Health Services' Juvenile Rehabilitation Administration for doing mental health and psychiatric evaluations, as well as for supervision and treatment costs.	Sponsor: Dickerson

Bill Number & Companion	Title	Description	Status & Sponsor
2101	Changing provisions relating to registration of sex and kidnapping offenders who are students.	Requires a sex and kidnapping offender attending, or planning to attend, a public or private school to, within ten days of enrolling or prior to arriving at the school to attend	Status: Passed Chapter 380, 2005 Laws
		classes, notify the sheriff for the county of the person's residence of the person's intent to attend the school, and	Effective Date: 5/10/2005
		the sheriff will notify the principal of the school. The principal will notify any personnel who supervises the student or for security purposes should be aware of the student's record. Amendment clarifies that the school for the deaf and the school for the blind are included, delays the effective date till September 1, 2006, and require OSPI's safety center to make recommendations about the training that will be needed for principals, teachers, supervisors, and school staff.	Sponsor: Pearson
<i>2126S</i>	Providing accommodations to dependent persons who are victims and witnesses. (REVISED FOR PASSED LEGISLATURE:	Provides that, whenever a dependent person is offered as a witness and the court finds that varying the form and administration of the oath would avoid confusion for the	Status: Passed Chapter 381, 2005 Laws
	Providing a statement of rights for dependent persons who are victims or	dependent person, the court may vary the oath to be more easily understood by the dependent person while still	Effective Date: 5/10/2005
	witnesses.)	conveying the solemn and obligatory nature of the oath. Substitute places limits on what the court may allow. Amendment removes the provision that prohibits the disclosure of a dependent person's identifying information when disclosure would harm the person's reputation; allows the prosecution or defense to request a preliminary hearing to establish accommodations for a dependent person victim or witness; amends the definition of "witness" to include a person expected to testify for the defense and allows the defense to seek a video tape deposition to preserve direct testimony; clarifies that an advocate is a person approved by the victim or witness in consultation with the victim or witness's guardian, if applicable. Second amendment removes the provisions allowing, and providing procedures for, closed circuit testimony.	Sponsor: Lantz
2156S	Regarding dependency and termination of parental rights. (REVISED FOR PASSED LEGISLATURE: Creating a joint task force on child safety.)	Places limitations upon the time a parent may be given to correct his or her parental deficiencies and that a parent must not be given repeated opportunities to have the child returned home when it is at the expense of the safety and stability of the child. Striker amendment creates a task force	Status: Passed Chapter 430, 2005 Laws Effective Date: 5/13/2005
		to review issues pertaining to the health, safety and welfare of children receiving services from child protective services and child welfare services and make recommendations to the legislature and the Governor regarding the issues.	Sponsor: Hinkle

Bill Number & Companion	Title	Description	Status & Sponsor
21632S	Establishing a homeless housing program.	Creates the Homeless Housing Program to be administered by CTED on the state level which includes a local government funding component, a state competitive grant	Status: Passed with Partial Veto Chapter 484, 2005 Laws
		program, and the coordination of a statewide Homeless Census program, and creates a funding source for the	Effective Date: 5/16/2005
		Homeless Housing Program by charging a \$10 surcharge for each document recorded by the county auditor. Amends current statute to allow the county to retain administrative fees of the existing \$10 surcharge for low-income housing,	Sponsor: Ormsby
		instead of the auditor. Partial veto: Section 4 of the bill is vetoed because it requires the membership of a cabinet level interagency	
		council to be comprised of seven agency directors. While the Governor has vetoed the section, she is also directing those agency heads to designate a senior staff member as their agency's lead on homelessness issues to coordinate	
		with CTED to develop the state's homeless housing plan.	
2189	Establishing a work group to address safety of child protective services and child welfare services staff.	Requires the department of social and health services to establish a work group to develop policies and protocols to address the safety of child protective services and child	Status: Passed Chapter 389, 2005 Laws
	ema wenare services starr.	welfare services staff . Amendment further specifies membership to include CPS and CWS staff from community	Effective Date: 5/11/2005
		service offices in largely rural as well as urban areas. Recommendations must additionally include training to address highly volatile, threatening situations and deescalation and preventive safety measures.	Sponsor: Kagi
<i>22235</i>	Prohibiting charging clerk's fees to law	Prohibits charging clerk's fees to law enforcement agencies	Status: Passed
	enforcement agencies for records concerning sex offenders.	for records concerning sex offenders, when such records are necessary for risk assessment, preparation of a case for	Chapter 202, 2005 Laws
		failure to register, or maintenance of a sex offender's registration file. Substitute moves the provision that	Effective Date: 4/26/2005
		exempts public agencies from charging law enforcement for copies of sex offender records into the section of the RCW that deals with charges for copies by local courts.	Sponsor: O'Brien
5053	Authorizing service by publication in	Modifies provisions regarding service by legal summons for	Status: Passed
1403	actions to establish or modify parenting plans, for legal separation or invalidity of	the establishment or modification of a parenting plan or residential schedule, dissolution of marriage, legal	Chapter 117, 2005 Laws
	marriage, and for nonparental custody.	separation, or declaration of invalidity, in the cases prescribed by law, or when the action is for non-parental	Effective Date: 4/21/2005
		custody and the child is in the physical custody of the petitioner.	Sponsor: Kline

Bill Number & Companion	Title	Description	Status & Sponsor
5127	Improving services to victims of human trafficking.	Establishes that by July 1, 2005, the director of the Department of Community, Trade, and Economic Development shall, within existing resources, convene and	Status: Passed Chapter 358. 2005 Laws
		chair a work group to develop written protocols for delivery of services to victims of human trafficking. Members of the	Effective Date: 5/10/2005
		group will serve without compensation. Also creates an award to honor individuals and groups, public or private, who have made noteworthy efforts in fight human trafficking or in providing services to the victims of human trafficking. Amendment removes all provisions referencing the annual award.	Sponsor: Kohl-Welles
5148	Repealing the crime of "slander of a woman."	Repeals the existence of the crime of "slander of a woman" as well as the testimony necessary to convict a person of such a crime.	Status: Passed Chapter 13, 2005 Laws
		such a crime.	Effective Date: 4/8/2005
			Sponsor: Kohl-Welles
5158S 1300	Modifying the uniform health care information act.	Makes provisions consistent with the health insurance portability and accountability act by addressing the period of validity of an authorization, accounting for disclosures,	Status: Passed Chapter 468, 2005 Laws
		reporting of criminal activities, sharing quality improvement information and modifying provisions on payment for health	Effective Date: 5/13/2005
		care, and health care operations. Substitute clarifies that an authorization for disclosure may be kept as an original or as a copy, and disclosures to immediate family are not limited to oral disclosures. Amendment maintains consistency with SB 5054, second amendment to strike everything after the enacting clause and insert a new bill to limit the duration of disclosure authorizations to financial institutions or employers for purposes other than payment to 90 days, unless renewed.	Sponsor: Keiser
52425	Changing penalties for possession of weapons by inmates.	Establishes that every person confined in a county or local correctional institution who, without legal authorization, knowingly possesses or has under his or her control any weapon, firearm, or any instrument that, if used, could produce serious bodily injury to the person of another, is	Status: Passed Chapter 361, 2005 Laws Effective Date: 5/10/2005
		guilty of a class B felony. Substitute changes the felony level for jail inmates from class B to class C.	Sponsor: Doumit

Bill Number & Companion	Title	Description	Status & Sponsor
5256S	Revising provisions relating to the use of risk assessments in the supervision of offenders who committed misdemeanors	Revises provisions relating to the use of risk assessments in the supervision of offenders who committed misdemeanors and gross misdemeanors.	Status: Passed Chapter 362, 2005 Laws
	and gross misdemeanors.	u.i. g. 650651651.	Effective Date: 5/10/2005
			Sponsor: Hargrove
<i>5308S</i>	Changing provisions relating to	A supervisor in a for profit or non-profit organization is	Status: Passed
	mandatory reporting of child abuse or neglect.	added to the list of mandatory reporters. If the supervisor has reasonable cause to believe the child has suffered	Chapter 417, 2005 Laws
		abuse or neglect caused by someone they supervise and that person coaches, trains, educates, counsels or regularly	Effective Date: 5/11/2005
		has unsupervised access to children as part of their employment, contract or voluntary service, then the	Sponsor: Kohl-Welles
		supervisor must report the information to law enforcement.	
		Supervisors are not required to report child abuse if they	
		receive the information solely as the result of a privileged	
		communication as defined in RCW 5.60.060. The current list	
		of mandatory reporters is not limited by the reference to	
		supervisors. Definitions for "official supervisory capacity" and "regularly exercises supervisory authority" are provided.	
<i>5309S</i>	Defining sexual misconduct with a minor.	Defines that "abuse of a supervisory position" means a	Status: Passed
55055	Denining Sexual misconduct with a minor.	direct or indirect threat or promise to use authority to the	Chapter 262, 2005 Laws
		detriment or benefit of a minor or the use of a significant	Chapter 202, 2003 Eaws
		relationship to obtain the consent of a minor. Substitute	Effective Date: 5/4/2005
		states that the bill includes foster parents. Amendment adds	
		an additional method of committing the crimes of sexual	Sponsor: Kohl-Welles
		misconduct with a minor in the first and second degree,	_
		which requires that the perpetrator know both the victim	
		and his or her parent or guardian, establish a relationship	
		with the victim, and take advantage of the relationship or	
		familiarity with the victim in order to engage in the prohibited conduct.	
<i>5453</i>	Providing civil immunity for broadcasters	Provides civil immunity to broadcasters providing	Status: Passed
1518	participating in the Amber alert.	information regarding Amber alerts which are used to notify the public of missing children.	Chapter 128, 2005 Laws
			Effective Date: 4/21/2005
			Sponsor: Delvin

Bill Number & Companion	Title	Description	Status & Sponsor
<i>54542S</i>	Revising trial court funding provisions.	Provides trial courts with additional resources. Substitute reduces various fee increases. Second substitute modifies intent language and removes all provisions related to juror	Status: Passed Chapter 457, 2005 Laws
		fee increases and state payment of juror fees. Amendment modifies other fee increases. Second amendment removes	Effective Date: 5/13/2005
		provisions requiring the state to pay for one-half of district court and elected municipal court salaries and to pay 2.5 percent contribution in the supplemental retirement account for those judges; removes provisions establishing trial court improvement accounts in cities and counties; requires the revenue to the state from the increased fees to be deposited in a sub-account of the PSEA to be appropriated only for trial-level criminal indigent defense, parent representation in dependency and termination cases, civil legal services, and to fund the trial court improvement account; and establishes a trial court improvement account to be administered by AOC. Third amendment removes provisions requiring the state to pay cetain salaries and to pay 2.5 percent contribution in the supplemental retirement account for those judges. It requires the revenue to the state from the increased fees to be deposited in the newly-created equal justice subaccount of the PSEA to be appropriated only for: trial-level criminal indigent defense, including a pilot program; parent representation in dependency and termination cases; civil legal services; and district court judges' and elected municipal court judges' salary contributions. See full text of bill and amendments for	Sponsor: Hargrove
5461	Changing limits on costs of incarceration charged to offenders.	details. Provides that, if the court determines that the offender, at the time of sentencing, has the means to pay for the cost of incarceration, the court may require the offender to pay for at a rate of fifty dollars per day of incarceration in a prison, or the court may require the offender to pay the actual cost	Status: Passed Chapter 263, 2005 Laws Effective Date: 5/4/2005
		of incarceration per day of incarceration in a county jail. In no case may the court require the offender to pay more than one hundred dollars per day for the cost of incarceration.	Sponsor: Fairley

Bill Number & Companion	Title	Description	Status & Sponsor
5477	Revising sentencing procedures for exceptional sentences.	A new criminal procedure will be created for imposing greater punishment than the standard range or conditions and codifying existing common law aggravating factors. The	Status: Passed Chapter 68, 2005 Laws
		trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under specific	Effective Date: 4/15/2005
		circumstances listed within the bill. Amendment clarifies the intent of the legislature by recognizing the need to restore judicial discretion in sentencing. It directs the Sentencing Guidelines Commission to study the sentencing reform act and report its findings to the legislature by December 1, 2005.	Sponsor: Kline
5501	Authorizing use of lie detector tests on juvenile court services employment applicants.	Authorizes the use of lie detector tests on juvenile court services employment applicants.	Status: Passed Chapter 265, 2005 Laws
			Effective Date: 5/4/2005
	Clarife in a harm dama a manhin fa abana ana		Sponsor: Hargrove
5582	Clarifying how demographic factors are used with regard to sexually violent predators.	Clarifies how demographic factors are used with regard to sexually violent predators and involuntary commitment. A change in a single demographic factor, without more, does	Status: Passed Chapter 344, 2005 Laws
	•	not establish probable cause for a new trial proceeding under the "so changed" prong. Demographic factors	Effective Date: 5/9/2005
		include, but are not limited to age, marital status, and gender.	Sponsor: Regala

Bill Number & Companion	Title	Description	Status & Sponsor
5583	Requiring training of children's administration employees concerning older children who are victims of abuse or	Requires development a curriculum by April 30, 2005 designed to train staff of the children's administration on how to screen and respond to referrals to child protective	Status: Passed Chapter 345, 2005 Laws
	neglect.	services involving victims of abuse or neglect between the	Effective Date: 5/9/2005
		ages of eleven and eighteen. The department shall consider the recommendations of the office of the family and children's ombudsman as it develops the curriculum, and use the curriculum to train all staff employed by August 31, 2005. Amendment to strike everything after the enacting clause and provide that the department will develop a curriculum designed to train the staff of the department's children's administration who assess or provide services to adolescents on how to screen and respond to referrals to child protective services when those referrals may involve victims of abuse or neglect between the ages of eleven and eighteen. The curriculum provisions are stated in the amendment. Adds an effective immediately clause. Second amendment requires DSHS to develop the required curriculum within existing resources. DSHS is also required to incorporate training on the curriculum into existing training and to do so within existing resources. DSHS is no longer required to complete training of staff on the curriculum by specified dates, and is no longer required to keep a record of all employees who have attended the required training. DSHS is required to report to the	Sponsor: Regala
		Governor and the appropriate committees of the Legislature	
		on the quarterly reviews on August 1, 2006 and August 1, 2007. The emergency clause is removed.	
<i>5631S</i>	Changing provisions relating to inmate work programs.	Revises the provisions relating to inmate work programs. The bill allows school districts to purchase goods such as office supplies made by Class II inmate work programs.	Status: Passed Chapter 346, 2005 Laws
		Class II inmate work programs produce goods meant to lower costs for non-profit or tax-supported agencies.	Effective Date: 5/9/2005
		Substitute changes the date of school districts' target to purchase 1 percent of goods from Class II industries from June 30, 2005 to June 30, 2006. Amendment adds a provision that: (1) requires the Correctional Industries Board to authorize the type and quantity of class II products that may be purchased and sold to employees and family members of employees of the DOC and inmates of the DOC and their family members; and (2) prohibits any person to purchase such items for the purpose of resale.	Sponsor: Regala

Bill Number & Companion	Title	Description	Status & Sponsor
<i>5719S</i>	Extending the community commitment disposition alternative pilot program.	Permits all counties to establish a Community Commitment Disposition Alterative Program. Requires any reintegration	Status: Vetoed 5/17/2005
		program that is developed as a part of the disposition alternative to meet the Washington State Institute for Public Policy's effectiveness standards. Requires that when the Community Commitment Disposition Alterative is revoked, and the remainder of the sentence is imposed, that the sentence be served at a Juvenile Rehabilitation Administration facility. Veto: This bill was vetoed because it would have instituted a new alternative to the DSHS commitment program that would shift costs to the state, rather than using the existing five alternatives that have been proven effective and do not shift costs to the state.	Sponsor: Hargrove
<i>5767S</i>	Developing plans to address the housing	Requires each county to create a task force to develop a 10-	Status: Passed
	needs of homeless persons. (REVISED FOR PASSED LEGISLATURE: Creating a	year plan to address housing for homeless persons. Each task force shall establish guidelines for emergency shelters,	Chapter 485, 2005 Laws
	homeless housing task force in each county.)	short-term housing needs, temporary encampments, supportive housing for chronically homeless, and long-term	Effective Date: 5/16/2005
	,,	housing. Substitute requires a homeless or former homeless person be on the task force. Counties not required to create new task forces if they have a body to address homelessness or are following certain federal guidelines.	Sponsor: McAuliffe
5809	Revising jurisdiction of youth courts.	Declares that nothing in chapter 3.72 RCW shall interfere	Status: Passed
		with the ability of juvenile courts to refer matters to youth courts that have been established to provide a diversion for	Chapter 73, 2005 Laws
		matters involving juvenile offenders who are eligible for diversion and that nothing in this chapter shall interfere with	Effective Date: 4/18/2005
		the ability of student courts to work with students who violate school rules and policies.	Sponsor: Fairley

Bill Number & Companion	Title	Description	Status & Sponsor
<i>5872S</i>	Requiring findings and recommendations regarding a department of family and children's services. (REVISED FOR	Transfers all powers, duties, and functions of DSHS pertaining to children and family services and the juvenile rehabilitation administration to the newly created	Status: Passed Chapter 474, 2005 Laws
	ENGROSSED: Creating a task force on the administrative organization, structure,	department of family and children's services. Substitute adds language creating a seven-member task force to	Effective Date: 5/13/2005
	and delivery of services to children and familie	determine the structure for the new department. Amendment creates a task force appointed by the governor to make recommendations on the best design and structure to deliver social and health services to families and children. Amendment requires the joint task force to consider creation of a children and family services cabinet reporting directly to the Governor. The amendment adds several positions to the membership and removes several positions from the membership. It requires that members of the joint task force be jointly appointed by the Chairs of the House Children and Family Services Committee and the Senate Human Services and Corrections Committee, rather than by the Governor. It requires the joint task force to report its recommendations to both the Governor and the appropriate committees of the Legislature. It removes the requirement that the first meeting be no later than May 1, 2005. It specifies the mechanisms for reimbursement of members of the joint task force for travel expenses and removes the emergency clause.	Sponsor: Stevens
5899S 2215S	Changing provisions relating to background checks.	Eliminates duplicative statutes and provisions not currently implemented, and eliminates the requirement that before forwarding information to certain persons or agencies requesting a background check that the Washington State Patrol redact all information not related to crimes committed against children or other persons, crimes relating to drugs, and crimes relating to financial exploitation. Eliminates provisions that are not currently being implemented such as	Status: Passed Chapter 421, 2005 Laws Effective Date: 5/11/2005 Sponsor: Kohl-Welles
		the requirement that disciplinary boards' final decisions and information relating to dependency matters and domestic relations cases be sent to the WSP.	

Bill Number & Companion	Title	Description	Status & Sponsor
59225	Changing procedures for investigations of child abuse or neglect.	Requires training of CPS workers to include legal duties to protect the constitutional and statutory rights of a child and their family member. Substitute modifies written notice	Status: Passed Chapter 512, 2005 Laws
		requirements, removes certain training requirements for CPS workers and removes provisions referring to advising	Effective Date: 5/17/2005
		persons of their basic rights. Amendment specifies that parents subject to an abuse investigation must be advised at initial contact of the complaints against them. Amendment changes the notification requirement to require DSHS to notify the alleged perpetrator of abuse or neglect of the complaints or allegations at the initial point of contact with the alleged perpetrator. It clarifies that investigations of child abuse and neglect should be conducted so that relevant evidence of offenses is not concealed or destroyed, child victims are not subjected to undue influence, and actions are not taken that would jeopardize the safety or protection of the child. It adds the requirement that training be provided to ensure caseworkers receive training in the legal duties of the Department. It changes the definitions of "abuse or neglect" and "negligent treatment or maltreatment" of a child to include language pertaining to chronic neglect for the purposes of an investigation of child abuse or neglect. It permits the Department to offer voluntary services to a parent to correct the deficiencies that placed the child at risk for child abuse or neglect. Permits the Department to file a dependency petition if a parent fails to comply with treatment to correct the deficiencies that placed the child at risk for child abuse or	Sponsor: Stevens
59395	Requiring police reports to be given to	neglect. Changes the effective date to January 1, 2007. Requires all police and sheriff's departments in Washington	Status: Passed
	victims of identity theft.	state to provide police reports at the request of victims of identity theft. Substitute clarifies that the police report	Chapter 366, 2005 Laws
		requirement does not mean that a law enforcement agency would have to perform an investigation every time a person	Effective Date: 5/10/2005
		requests a police report claiming that an identity theft has occurred. Amendment clarifies that the police reports which consumers must provide to consumer reporting agencies, in order to permanently block the agency from reporting information the consumer identifies as being the result of identity theft, are reports that the consumers themselves have filed with the police and not reports generated by the police.	Sponsor: Fairley

Bill Number & Companion	Title	Description	Status & Sponsor
5993	Providing additional funding for crime	Appropriates the sum of three million six hundred twenty-	Status: Passed
2137S	victims' compensation.	seven thousand dollars for fiscal year ending June 30, 2005, from the state public safety and education account to the	Chapter 10, 2005 Laws
		department of labor and industries for the additional costs incurred by the department in the crime victims	Effective Date: 3/28/2005
		compensation program.	Sponsor: Prentice